

**TOWNSHIP OF LONG HILL
ORDINANCE 477-21
AN ORDINANCE CONCERNING STORMWATER MANAGEMENT AND AMENDING SECTION 146 OF
THE TOWNSHIP LAND USE ORDINANCE**

Statement of purpose: To exempt from Stormwater Management regulations any project that disturbs less than 1,500 square feet of lot area and results in an increase of impervious surface of less than 1,000 square feet.

WHEREAS, the Township's Stormwater Ordinance currently defines "Minor Development" as any project that disturbs 1,000 square feet or more of lot area or results in an increase of impervious surface of 1,000 square feet or more..." and defines "Exempt Development" as any project that disturbs less than 1,000 square feet of lot area and results in an increase in impervious surface of less than 400 square feet"; and

WHEREAS, Township Engineer Paul W. Ferriero has recommended that those definitions be relaxed as set forth herein; and

WHEREAS, paragraph "d" of Section LU-146.4 entitled "Waivers and Exceptions" giving property owners the right to appeal a determination of the Township Engineer on a stormwater matter to the zoning board of adjustment in accordance with N.J.S.A. 40:55D-70a is redundant inasmuch as any interested party affected by any decision of an Administrative Officer already has the right to appeal that decision to the board of adjustment under Code section LU-172.10;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that the Township Land Use Ordinance is amended as follows:

Section 1. The definitions of "Minor Development" and "Exempt Development" as set forth in Section LU-146 of the Township Land Use Ordinance entitled "Stormwater Management" are amended to read as follows:

§ LU-146.2 **Definitions.**

Unless otherwise defined herein, all terms in this ordinance shall be as defined in N.J.A.C. 7:8.

Exempt Development – Any project that disturbs less than ~~4,000~~ 1,500 square feet of lot area and results in an increase in impervious surface of less than ~~400~~ 1,000 square feet.

Minor Development – Any project that disturbs ~~4,000~~ 1,500 square feet or more of lot area or results in an increase of impervious surface of ~~400~~ 1,000 square feet or more and that does not meet the definition of major development.

Section 2. Section LU-146.4 entitled "Waivers and Exceptions" is amended by deleting paragraph "d":

~~d. Appeals. The appeal of the determination of the Township Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.~~

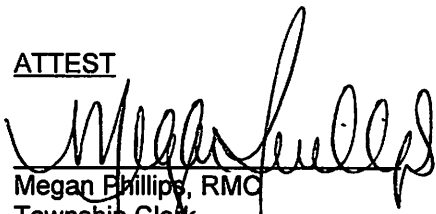
Section 3. In all other respects, Section LU-146 of the Township Code shall remain unchanged.

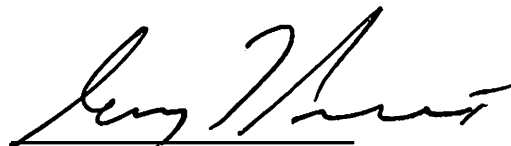
Section 4. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 5. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST


Megan Phillips, RMC
Township Clerk


Guy Piserchia, Mayor

1st Reading and Introduction: June 23, 2021

1st Publication: Echoes Sentinel July 1, 2021

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2nd Publication: Echoes Sentinel July 22, 2021

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